

native is selected, it is open to some criticism. In point of fact, I would think, and I think the Committee felt, that the only really difficult problem is where there is no delegate remaining to speak for a county, and in that case we have provided that the two Vice Presidents would have the power to make the nominations. It would always be the Convention, of course, that would have the power to accept or reject the nominations. Senator Clark, in questions put to him by Delegate Bamberger, conceded that in exercising that power he would consult with the local people, Commissioners or the council as the case might be to get their views. I would think any reasonable man on a selection committee placed in that position would do the same thing but, of course, would not be bound by it. We wanted to avoid any rule which would indicate that this Convention shared its power to fill vacancies, as directed by the General Assembly, with any governing body, private or political group, and for that reason, we have recommended the adoption of the resolution in the form in which it is set forth in the Fourth Report.

THE PRESIDENT: Are there any questions, for purposes of clarification, of the Chairman of the Committee?

*(There was no response.)*

THE PRESIDENT: Do you desire to make a motion, Delegate Scanlan?

DELEGATE SCANLAN: I now move that proposed Rule 71 [77], containing subsection 71A [77] through D be adopted; amended, of course, by the language that I mentioned before that was inadvertently omitted: the words to appear in the first line of Rule 71A [77] "of the death or resignation of a delegate to the Convention."

With that stylistic or grammatical addition, I move the adoption of the report and the adoption of the proposed rule.

THE PRESIDENT: Is there a second?

DELEGATE BEALL: Second.

THE PRESIDENT: Delegate Linton?

DELEGATE LINTON: Mr. President, I apologize for taking the time of this Convention, but on page 2, Rule 71C [77], "in the event no delegate remaining, the First Vice President and Second Vice President shall be the selection committee."

This in my opinion does not solve the problem of perhaps having delegates from adjoining counties make the nomination. I

would suggest that we add, after the period in that paragraph, "to contact the governing body of said county for the purpose of receiving its recommendations."

This in no way requires compliance, but it does assure the people of that county that they will be consulted on the replacement of a delegate to this Convention.

THE PRESIDENT: Delegate Linton, the Chair is uncertain where you would add the phrase that you suggested; in which line?

DELEGATE LINTON: After the last line of 71C [77], on page 2 of the committee's recommendations. This would be a new sentence, at the end of that paragraph.

THE PRESIDENT: Would you state your sentence again, please?

DELEGATE LINTON: After the word "committee," delete the period, and add the words, "to contact the governing body of said county for the purpose of receiving its recommendations."

You could further add the words, "before placing any name before the Convention." Although it is understood the Committee will do so, I believe the phrase would make it explicit that this Committee will place in nomination a name from any county that no longer has representation. On the other point, however, there is no assurance, other than the assumption that they will contact the governing body for its recommendations.

THE PRESIDENT: If you make that as a separate sentence, if I have it correctly, would you not say, "the selection committee shall contact?" Is that what the meaning of your amendment was? I am not sure I heard you correctly. I have it: "to contact."

DELEGATE LINTON: Either way in my opinion, "shall be the selection committee to contact the governing body of said county."

THE PRESIDENT: All right. Then it would not be a separate sentence.

DELEGATE LINTON: It would not be a separate sentence.

THE PRESIDENT: Is there a second to the motion?

*(The motion was duly seconded.)*

THE PRESIDENT: The motion then is to amend 71C [77] by striking the period after the last word in the last sentence and adding the phrase, "to contact the governing body of said county for the purpose of